



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

April 2, 1991

Mr. Philip W. Barnes
Commissioner of Insurance
State Board of Insurance
1110 San Jacinto
Austin, Texas 78701-1998

OR91-159

Dear Mr. Barnes:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11471.

We have considered the exception you claimed, specifically 3(a)(3). You inform us that this matter has been referred to the Attorney General for the institution of a suit. You say the Assistant Attorney General assigned to the case stated that the materials you sent are necessary to conduct the litigation. Based on these representations and our review of the documents, you may withhold the information pursuant to section 3(a)(3). Open Records Decision No. 551 (1990) (copy enclosed).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-159.

Yours very truly,

A handwritten signature in cursive script that reads "Kay Guajardo".

Kay Guajardo
Assistant Attorney General
Opinion Committee

KHG/lcd

Ref.: ID# 11471, 11544

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Enclosure: Open Records Decision No. 551

cc: Mary Ann Sapp
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Scott, Hulse, Marshall Feuille
Finger and Thurmond, P.C.
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